

expression is otherwise elevated in a non-cancerous cell over that in a cancerous cell and a decrease in the expression of the determined genes whose expression is otherwise increased in a cancerous cell over that in a non-cancerous cell indicating anti-neoplastic activity.

*BY  
Carr*

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#### REMARKS

Applicant has amended claim 1 to recite use of more than a single gene for the screening assay for gene modulating activity. Limitation to one of the disclosed sequences (SEQ ID NO: 1-1067) has been recited in new claim 50. In addition, claim 44 has been cancelled and replaced by new claim 52. Applicants had previously added a new claim 51.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 CFR 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

#### FIRST CLASS CERTIFICATE

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*3/10/03*  
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Respectfully submitted,

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AMENDED CLAIM

1. (Twice Amended) A process for screening a plurality of chemical compounds for anti-neoplastic activity comprising:

(a) contacting a compound with one or more cells containing a polynucleotide comprising a nucleotide sequence ~~selected from the group consisting of SEQ ID NO: 1 – 1067 corresponding to a gene whose expression is increased in a cancerous cell over that in a non-cancerous cell or a gene whose expression is elevated in a non-cancerous cell over that in a cancerous cell~~ under conditions wherein said polynucleotide is being expressed, and

(b) determining a change in expression of more than one of said polynucleotides, ~~wherein an increase in the expression of the determined genes whose expression is elevated in a non-cancerous cell over that in a cancerous cell and a decrease in the expression of the determined genes whose expression is increased in a cancerous cell over that in a non-cancerous cell~~

~~wherein a change in expression is indicative of anti-neoplastic activity.~~